

07-27-01

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FORM PTO-1082

Express Mail EL 904 934 864 US

PATENT

Atty. Docket No. 46403-1015

Date: July 26, 2001

UTILITY PATENT APPLICATION TRANSMITTAL

Box PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): Jing Ma and Yajun Guo

For: METHOD AND COMPOSITION FOR DIAGNOSIS OF MELANOCYTIC LESIONS

Enclosed are:

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
- ☒ Applicant Claims Small Entity Status
- ☒ Specification, Claims, and Abstract (28 pages)
- ☒ Sheet(s) of drawing (\_\_\_ formal, ☒ informal)
- \_\_\_ Form PTO-1595 and an assignment of the invention to: \_\_\_\_\_
- \_\_\_ A certified copy of \_\_\_ Application No. \_\_\_\_\_ filed on \_\_\_\_\_ from which priority is claimed in the subject case pursuant to Rule 55b and 35 U.S.C. 119, \_\_\_ will follow.
- \_\_\_ An associate Power of Attorney.
- \_\_\_ Combined Declaration and Power of Attorney.
- \_\_\_ Information Disclosure Statement, Form PTO 1449, and \_\_\_ cited references
- \_\_\_ Request and Certification under 122(b)
- ☒ Postcard

If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 C.F.R. 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)  
of prior application No.: 09/451,353

Examiner: CANELLA, K. Group/Art Unit: 1642

- ☒ Check in the amount of \$435.00 to cover the filing fee is enclosed.
- \_\_\_ Check in the amount of \$0.00 to cover the Assignment Recordation Fee.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-0410 of Baker & McKenzie.
  - A duplicate copy of this sheet is enclosed.
  - ☒ Any additional filing fees required under 37 CFR 1.16.
  - ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Charles S. Berkman  
Registration No. 38,077  
c/o BAKER & MCKENZIE  
101 West Broadway, 12th Floor  
San Diego, California 92101  
(619) 236-1441

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision

**Complete if Known**

Application Number	To be assigned
Filing Date	Filed Herewith
First Named Inventor	Jing MA et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	46403-1015

TOTAL AMOUNT OF PAYMENT (\$) 435.00

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit  
Account  
Number

02-0410

Deposit  
Account  
Name

Baker &amp; McKenzie

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

355.00

SUBTOTAL (1) (\$) 355.00

**2. EXTRA CLAIM FEES**

Total Claims	18	-20** =	0	X	Fee from below	0	=	Fee Paid	0
Independent Claims	5	-3** =	2	X	40	=	80		
Multiple Dependent									

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2) (\$) 80.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee Fee  
Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or  
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920\* 112 920\* Requesting publication of SIR prior to  
Examiner action113 1,840\* 113 1,840\* Requesting publication of SIR after  
Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Petitions related to provisional applications

126 240 126 240 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per  
property (times number of properties)146 710 246 355 Filing a submission after final rejection  
(37 CFR § 1.129(a))149 710 249 355 For each additional invention to be  
examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination  
of a design application

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

**SUBMITTED BY**

Name (Print/Type)

Charles S. Berkman

Registration No.  
(Attorney/Agent)

38.077

Complete (if applicable)

Telephone

(619) 236-1441

Signature

Date

7/26/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Jing MA et al.

Title

METHOD AND COMPOSITION FOR DIAGNOSIS  
OF MELANOCYTIC LESIONS

Atty Docket Number

46403-1015

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/26/01

Date



Signature

Charles S. Berkman

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10520-94560

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Art Unit: To be assigned
Jing MA et al.	)	
	)	Examiner: To be assigned
Serial No.: To be assigned	)	
	)	
Filed: Filed herewith	)	
	)	
For: METHOD AND COMPOSITION FOR	)	
DIAGNOSIS OF MELANOCYTIC	)	
LESIONS	)	

San Diego, California 92101  
July 26, 2001

BOX PATENT APPLICATION  
Commissioner For Patents  
Washington, D.C. 20231

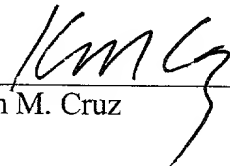
**CERTIFICATE OF EXPRESS MAILING**

Dear Sir:

“Express Mail” mailing label No. EL 904 934 846 US

Date of Deposit: July 26, 2001

I hereby certify that a Utility Patent Application Transmittal, Fee Transmittal, check in the amount of \$830.00, Patent Application including the Specification, Abstract, and Claims (28 pages), Drawing (FIG. 1); Preliminary Amendment; Request for Non-Publication under 122(b) and return postcard are being deposited with the U.S. Postal Service “Express Mail Post Office to the Addressee” service under 37 CFR § 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

  
\_\_\_\_\_  
Karen M. Cruz